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Response to Office action of September 20, 2005
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REMARKS

Claims 1-15, 18, 20, 23-37, 40, 42 and 45-46 are pending. Claims 16-17, 19, 21-22, 38-39, 41, 43-44, and 47-51 are withdrawn.

I. Claim Rejections and Amendments

Claims 20 and 42 were rejected as failing to comply with the enablement requirement of 35 U.S.C. 112, first paragraph. These claims have been amended to obviate the stated rejection by reciting that one of the one or more fluid distribution branches passes through a distal end of the electrode. This limitation is supported by the specification.

Claims 2, 5 and 11 were rejected as being indefinite and failing to comply with 35 U.S.C. 112, second paragraph. Claim 2 has been amended to provide the necessary recitation to conform to the antecedent basis in the claim of virtual electrode assembly.

Independent claims 1 and 25 were rejected as being unpatentable under 35 U.S.C. 103 based upon Swanson et al. (US 5,846,239) in view of Qian (US 5,846,239). In addition, claims 4, 7, 15 and 27 were objected to and indicated to be allowable if rewritten in independent form. The claims recite that the outer cap includes detents engaging the spacers of the inner electrode. Therefore, a necessary finding is that absent from the combination of Swanson and Qian is the coupling of the outer cap to the inner electrode. Claims 1 and 25 have been amended to recite "means for coupling the outer cap to the electrode assembly by engaging the one or more spacers of the inner electrode."

Based upon the amendments to claims 1 and 25, those claims are patentable and the obvious rejection based upon Swanson et al. and Qian is obviated. Further, the claims dependent from claims 1 and 25 are also patentable.

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II. Conclusion

Based upon the amendments to claims 1 and 25 and the foregoing remarks, Applicant submits that all pending claims are allowable. A prompt notice of allowance is respectfully requested.

Respectfully submitted,

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December 20, 2005
Date